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| 09/683,164      | 11/28/2001  | Patrick L. Perini    | 60434-014           | 1704             |

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| EXAMINER |
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HA, YVONNE QUY M

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| ART UNIT | PAPER NUMBER |
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2664

DATE MAILED: 04/21/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/683,164

Applicant(s)

PATRICK PIRINI

Examiner

Yvonne Q. Ha

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-13 is/are allowed.
- 6) ☒ Claim(s) 1-10, 14-16 is/are rejected.
- 7) ☒ Claim(s) 13 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 13 and 15 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim of claims 13 and 15. See MPEP § 608.01(n). Accordingly, the claims 13 and 15 have not been further treated on the merits. For the purpose of examining, the Examiner assumed that claim 13 is dependent of claim 11 and claim 15 is dependent of claim 14.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 14, 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Sarkissian et al. (US Patent 6,396,849).

Referring to claim 1, Sarkissian discloses a multi-media distribution system (abstract, figure 3) comprising: a distributor (figure 3, i.e. Multi-bus structure, col. 2, lines 21-37) having a plurality of locations (col. 2, lines 38-40, LAN controller for multiple networks); an external interface receivable within one of said plurality of locations, said external interface operable to receive content from a Wide Area Network (col. 6, lines 55-67); a home network interface receivable within one of said plurality of locations (col. 35-36, lines 63-67, 1-10), said home

network interface in communication with said external interface to distribute the content to at least one communication device (col. 36, lines 11-35).

Referring to claim 2, Sarkissian discloses all aspects of the claimed invention and further teaches each of said external interface and said home network interface are a removable card (col. 9, lines 41-54, i.e. WAN interface card).

Referring to claim 3, Sarkissian discloses all aspects of the claimed invention and further teaches home network interface includes a feed through circuit (col. 10, lines 10-17, figure 3).

Referring to claim 4, Sarkissian discloses all aspects of the claimed invention and further teaches home network interface includes a divider (col. 10, lines 18-45).

Referring to claim 5, Sarkissian discloses all aspects of the claimed invention and further teaches home network interface includes a Local Area Network Hub (col. 2, lines 20-35).

Referring to claim 6, Sarkissian discloses all aspects of the claimed invention and further teaches Wide Area Network includes a Digital Subscription Line, which provides analog voice content and digital packet data content (col. 8, lines 15-30; col. 9, lines 1-8).

Referring to claim 14, Sarkissian discloses a method of distributing multi-media content within a home/office environment (abstract, figure 3) comprising the steps of: receiving content from a plurality of Wide Area Networks through a single distribution point (col. 2, lines 38-40, LAN controller for multiple networks; col. 6, lines 55-67); directing the content from the single distribution point to a plurality of Home Network Interfaces (col. 35-36, lines 63-67, 1-10); accessing the content on a plurality of communication devices in communication with each of the Home Network Interfaces (col. 36, lines 11-35).

Referring to claim 15, Sarkissian discloses all aspects of the claimed invention and further teaches removably locating a removable interface within said single distribution point for each of the plurality of Wide Area Networks (col. 9, lines 41-54, i.e. WAN interface card).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sarkissian et al. (US Patent 6,396,849) in view of Gerszberg (USPUB 2002/0012353).

Referring to claim 7, Sarkissian discloses all aspects of the claimed invention and further teaches WAN network services such as voice/data. However, Sarkissian failed to disclose Wide Area Network includes a cable service, which provides digital voice content and analog television content. However, Gerszberg discloses a controller connects to the system bus, which supports a variety of network interface such as Ethernet, digital video, DSL, residential, cable television, cordless phone (paragraph 33). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sarkissian WAN network services such as voice/data with Gerszberg set-top box with a variety of network interface such as voice/data. It is known that the deregulation of the telephone industry has prepared companies to enter the local telephone market to offer new services with existing legacy system. As both prior art teaches different service interfaces to support different platforms

(old/new system), which exist with analog and digital data format and the need to convert these data formats for compatibility between legacy and new networks are well known.

Referring to claim 8, Sarkissian discloses all aspects of the claimed invention and further teaches WAN network services such as voice/data. However, Sarkissian failed to disclose Wide Area Network includes a Direct Broadcasting Service, which provides digital television content. However, Gerszberg discloses a controller connects to the system bus, which supports a variety of network interface such as Ethernet, digital video, DSL, residential, cable television, cordless phone (paragraph 33). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sarkissian WAN network services such as voice/data with Gerszberg set-top box with a variety of network interface such as voice/data. It is known that the deregulation of the telephone industry has prepared companies to enter the local telephone market to offer new services with existing legacy system. As both prior art teaches different service interfaces to support different platforms (old/new system), which exist with analog and digital data format and the need to convert these data formats for compatibility between legacy and new networks are well known.

6. Claims 9, 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sarkissian et al. (US Patent 6,396,849) in view of Rakib (USPUB 2002/0031120).

Referring to claim 9, Sarkissian discloses all aspects of the claimed invention but failed to teach a digital/analog - analog/digital converter in communication with said external interface; a central processing unit in communication with said digital/analog analog/digital converter. However, Rakib discloses a control system including home gateway and headend to interface a satellite dish and a telephone line to a television and remote control (paragraph 9). The headend

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functions to receive commands from the gateway for carrying out interfaces and sends the appropriate digital or analog signal. The set-top box converters convert digital to analog signals for use by a television set (paragraph 9). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sarkissian WAN network services such as voice/data with Rakib control system with digital/analog signal conversion. It is known that the deregulation of the telephone industry has prepared companies to enter the local telephone market to offer new services with existing legacy system. As both prior art teaches different service interfaces to support different platforms (old/new systems, i.e. digital satellite dish and television set), which exist with analog and digital data format and the need to convert these data formats for compatibility between legacy (analog format) and new networks (digital format) are well known.

Referring to claims 10 and 16, Sarkissian discloses all aspects of the claimed invention and further teaches peripheral bus communicates between a plurality of home network interfaces (figure 3; col. 9, lines 31-52).

#### ***Allowable Subject Matter***

7. Claims 11-13 are allowed.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Pickett (US Patent 6,154,465) discloses systems and methods for multiple mode voice and data communications using intelligently bridged TDM and packet buses

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne Q. Ha whose telephone number is 703-305-8392. The examiner can normally be reached on Monday-Friday 7a.m.-4p.m. Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ajit Patel can be reached on 703-308-5347. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YQH

  
Ajit Patel  
Primary Examiner